

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSEPH McATEER, administrator of the	:	
estate of James McAteer	:	CIVIL ACTION
	:	
v.	:	
	:	
THE UNITED STATES OF AMERICA	:	NO. 23-1335

ORDER

AND NOW, this 28th day of August, 2024, upon consideration of the Government’s “Motion to Dismiss and/or for Summary Judgment on Claims Based on Discretionary Functions” (Docket No. 26) and all documents filed in connection therewith, and for the reasons stated in the accompanying Memorandum, **IT IS HEREBY ORDERED** that the Motion is **GRANTED** and Plaintiff’s claims are **DISMISSED WITH PREJUDICE** to the extent they arise from the May 4, 2020 decision to assign James McAteer to a single cell. The Motion is **DISMISSED** as moot in all other respects.

BY THE COURT:

/s/ John R. Padova, J.

John R. Padova, J.